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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 JEREMY ELGUEZ,  
15 Defendant.

CASE NO. 2:20-CR-0092-JAM  
STIPULATION AND ORDER TO CONTINUE  
CHANGE OF PLEA HEARING AND TO  
EXCLUDE TIME  
DATE: August 4, 2020  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

16  
17 STIPULATION

18 IT IS HEREBY STIPULATED by and between the parties hereto through their respective  
19 counsel, U.S. Attorney McGregor Scott, through Assistant United States Attorney, Tanya Syed, attorney  
20 for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hannah  
21 Labaree, attorney for defendant Jeremy Elguez, that the Change of Plea hearing date of July 28, 2020, be  
22 continued to August 4, 2020 at 9:30 a.m, at the defendants' request.

23 Counsel for the defendant requires time to review discovery, conduct independent investigation,  
24 and meet with her client to review the material. The parties agree and stipulate, and request that the  
25 Court find the following:

26 (a) The discovery associated with this case includes over 1100 individually Bates-stamped  
27 items of discovery, including investigative reports, documents obtained from third parties, and related  
28 documents, as well as video recordings and data extracted from a cellular phone.

1                   (b) On July 16, 2020, the government produced an additional four pages of discovery and on  
2 July 23, 2020, the government produced additional discovery. More discovery is forthcoming.

3                   (c) Counsel for defendant desires additional time to review the evidence, and discuss the  
4 evidence with her client, who is incarcerated at the Sacramento County Jail.

5                   (d) Counsel for defendant believes that failure to grant the above-requested continuance  
6 would deny him/her the reasonable time necessary for effective preparation, taking into account the  
7 exercise of due diligence.

8                   (e) The government does not object to the continuance.

9                   (f) Based on the above-stated findings, the ends of justice served by continuing the case as  
10 requested outweigh the interest of the public and the defendant in a trial within the original date  
11 prescribed by the Speedy Trial Act.

12                  Based upon the foregoing, the parties agree time under the Speedy Trial Act should be excluded  
13 from this order's date through and including August 4, 2020, pursuant to 18 U.S.C. §3161 (h)(7)(A)and  
14 (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4, based upon continuity of  
15 counsel and defense preparation.

16                  Counsel and the defendant also agree that the ends of justice served by the Court granting this  
17 continuance outweigh the best interests of the public and the defendant in a speedy trial.

18                  IT IS SO STIPULATED.

19                  Dated: July 24, 2020

McGREGOR W. SCOTT  
United States Attorney

21                  \_\_\_\_\_  
22                  /s/ TANYA B. SYED  
23                  TANYA B. SYED  
24                  Assistant United States Attorney

25                  Dated: July 24, 2020

26                  \_\_\_\_\_  
27                  /s/ HANNAH LABAREE  
28                  HANNAH LABAREE  
                    Counsel for Defendant  
                    JEREMY ELGUEZ

## **FINDINGS AND ORDER**

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including August 4, 2020, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and(B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the July 28, 2020 Change of Plea hearing shall be continued until August 4, 2020, at 9:30 a.m.

Dated: July 24, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE